

07/16/2020 3:30 PM
20CV28874

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

CANDICE LOGAN, an individual, and
SHANNON HEIDELBERG, an
individual,

Plaintiffs,

v.

WALMART INC., a Delaware
corporation, and JANE DOE, an
individual,

Defendants.

Case No.:

COMPLAINT FOR FALSE ARREST AND
DISCRIMINATION

NOT SUBJECT TO MANDATORY
ARBITRATION

PRAYER: \$55,000
ORS 21.160(1)(c) - \$594

JURY TRIAL DEMANDED

Plaintiffs demand a jury trial and allege:

1.

Defendant Walmart Inc. (hereinafter, "Walmart") is, and at all times mentioned herein, has been a Delaware corporation engaged in the retail sale of a wide variety of merchandise and goods, including at a store located at 4200 SE 82nd Ave, Portland, Oregon. Walmart conducts regular, sustained business activity in Multnomah County.

2.

Defendant Jane Doe is an employee of Walmart. At all times mentioned herein, Walmart had actual control or a right of control of Jane Doe and/or Jane Doe was an actual or apparent agent of Walmart. The conduct of Jane Doe was within the course and scope of her employment and/or agency of Walmart.

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DISCRIMINATION

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KAPOURY & McDOUGAL
411 SW 2nd Ave., Suite 200
Portland, OR 97204
Fax: 503-224-2673
Phone: 503-224-2647

1 3.

2 On or about November 10, 2019, plaintiffs were customers at Walmart
3 when multiple Walmart store employees and/or actual or apparent agents of
4 Walmart, including defendant Jane Doe, who were then and there acting within
5 the scope of their employment, followed plaintiffs to their car. Jane Doe told
6 plaintiffs the police had been called on them and demanded plaintiffs return to
7 the store. The plaintiffs returned to the store and were detained in the store.

8 4.

9 FOR A FIRST CLAIM FOR RELIEF FOR FALSE ARREST, plaintiffs allege:

10 5.

11 Plaintiffs reallege and incorporate by reference paragraphs 1-3, above.

12 6.

13 The above-described stop and detention was intentional, plaintiffs were
14 aware of their detention, and the detention was unlawful.

15 7.

16 As a result of the above-described detention plaintiffs suffered, continue
17 to suffer, and will in the future suffer from embarrassment, frustration, anger,
18 humiliation and a sense of increased vulnerability, all to plaintiffs'
19 noneconomic damages in the amount of \$13,750 each. This number is for
20 jurisdictional purposes only.

21 FOR A SECOND CLAIM FOR RELIEF FOR DISCRIMINATION, plaintiffs
22 allege:

23 8.

24 Plaintiffs reallege and incorporate by reference paragraphs 1-3, above.

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DISCRIMINATION

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KAPOURY & McDOUGAL
411 SW 2nd Ave., Suite 200
Portland, OR 97204
Fax: 503-224-2573
Phone: 503-224-2647

9.

Plaintiffs are African American.

10.

The above-described Walmart store is, and at all times mentioned herein, has been a place of public accommodation within the meaning of ORS 659A.400. At least part of the motivation for the above-described conduct was the plaintiffs' race.

11.

The above-described conduct violates ORS 659A.403, which prohibits discrimination in places of public accommodation on account of race.

12.

As a result of the above-described discrimination, plaintiffs suffered, continue to suffer, and may permanently suffer from feelings of racial stigmatization, all to plaintiffs' noneconomic damages in the amount of \$13,750 each. This number is for jurisdictional purposes only.

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PAGE 3 – COMPLAINT FOR FALSE ARREST AND DISCRIMINATION

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Phone: 503-224-2647

1 WHEREFORE, each plaintiff prays for judgment against defendants in
2 the amount of \$27,500 each in noneconomic damages and for costs and
3 disbursements necessarily incurred herein.

4 Dated: August 18, 2020.

6 /s/ Gregory Kafoury

7 Gregory Kafoury, OSB #741663

8 kafoury@kafourymcdougal.com

9 Mark McDougal, OSB # 890869

10 mcdougal@kafourymcdougal.com

11 Jason Kafoury, OSB #091200

12 jkafoury@kafourymcdougal.com

13 Attorneys for Plaintiff